



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

*271 Cadman Plaza East
Brooklyn, New York 11201*

November 26, 2014

VIA ECF

Honorable Roanne L. Mann
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

**Re: A.G., an infant by Chevona Monique Gist v. James G. Pullano, M.D.,
 et al.
 Case No.: 14-CV-6805 (SJ) (RLM)**

Dear Judge Mann:

This office represents defendant Juan S. Sanodval, M.D. in the above-referenced matter, a medical malpractice action. Plaintiff alleges that that on or about July 31, 2007, up to and including February 14, 2008, Juan S. Sandoval, M.D., was negligent when he provided obstetrical, maternal-fetal, perinatal, neonatal, and delivery services for Infant Plaintiff A.G., and his mother, Chevonna Monique Gist, during her pregnancy and delivery. The complaint further alleges that the infant plaintiff suffered personal injuries as a result of the alleged malpractice.

This action was commenced in New York Supreme Court, Kings County on July 18, 2013. On November 19, 2014 the undersigned removed this matter to this Court, pursuant to 28 U.S.C. § 1442(a)(1). A preliminary review of records indicates that plaintiff failed to file an administrative claim as required by the Federal Tort Claims Act, 28 U.S.C. § 2675 ("FTCA"), and the FTCA's two-year statute of limitations for plaintiff's claim has expired. As a result, this office anticipates that the government will be moving to dismiss this action for lack of subject matter jurisdiction. Accordingly, defendant respectfully requests an extension of time until January 19, 2014 to complete its investigation of plaintiff's and answer, move or otherwise respond to plaintiff's allegations. The undersigned left a message for plaintiff's counsel concerning this request, but did not hear back.

This is the government's first request for an extension of time to respond to plaintiff's allegations.

Respectfully submitted,

LORETTA E. LYNCH
United States Attorney

By: /s/

Dara A. Olds
Assistant U.S. Attorney
(718) 254-6148

cc: Ronald B. Jackson, Esq. (via ECF)
Sanders, Sanders, Block, Woycik,
Viener & Grossman, P.C.
100 Herricks Road
Mineola, New York 11501